D.B. CIVIL WRIT PETITION NO.3182/2004.
(Tulsi Ram & Ors. vs. State of Rajasthan etc.)

Date :16.02.2005.

HON'BLE MR.JUSTICE N.N.MATHUR
HON'BLE MR.JUSTICE MANAK LALL MOHTA

Mr.Sudhir Sharma, for the petitioners.
Mr.H.R. Soni, Government Advocate.
Mr.Sanjeev Johari }
Mr.C.R. Jakar }
Mr.R.S.Saluja } for the respondents.

The instant petition has been filed under the label of public interest litigation by Tulsi Ram & Ors., complaining encroachment made by respondent No.4 and 5 on a public way near Nimba Nimbri, Mandore.

It is also submitted that encroachment has obstructed the smooth moving of "Bhogi Sheel Parikrama". Bhogi Sheel Parikrama is taken by the public through Nimbeshwar Mahadeo, Nimba Nimbri, Suraj Kund. It also passes through Dargah and khasra No.1294/1953 village Mandore.

A reply to the writ petition has been filed by the respondent No.4 and 5. It is averred that petitioners are property dealers and they have purchased the land bearing khasra no.1294/1953 measuring 6 bighas and 15 biswas Gair

Mumkin Bhakar. There has been a serious dispute about the said land. It is also submitted that the contested respondents and his brother are in possession over the disputed land since Samwat year 2012. Details of revenue disputes has been given.

Having heard learned counsel for the parties, we are of the view that the dispute is purely of private nature. No issue of public interest involves in the writ petition.

The writ petition stands dismissed.

(MANAK LALL MOHTA),J. **(N.N.MATHUR),J**

ashwini/-